#### UNITED STATES BANKRUPTCY COURT

FILED 2001 SEP 25 AM 12: 18

### FOR THE DISTRICT OF SOUTH CAROLINA

In Re:				ISTRICT OF SOU	THEADOLL
William Wilson SSN: 251-96-0808		)	Bankruptcy Cas	se No. 99-05665-W	LA LA
Juanita Raye Miller, SSN: 250-94-8262	And	) ) )	Chapter 13		40,
	Debtors.	) _)			
TO: All Creditors	and Parties in I	nterest		! ! :	

## MOTION AND MEMORANDUM IN SUPPORT OF MOTION TO SELL PROPERTY FREE AND CLEAR OF LIENS

YOU ARE HEREBY NOTIFIED that the Debtors proposed to sell the property herein described free and clear of all liens and encumbrances according to the terms and conditions stated below.

TYPE OF SALE: Private

PROPERTY TO BE SOLD: ½ interest in a 1992 Clayton Newport II Mobile Home

(56' x 14') - Serial Number CM5 153

PRICE: The Debtor, Juanita Raye Miller, has entered into a Sales

Agreement, signed September 5, 2001, subject to the

approval of this Court, and the potential buyer has agreed to purchase the Property for a total purchase price of Ten

Thousand Twelve Dollars and Two Cents (\$10,012.02) see

attached Exhibit "A".

APPRAISAL VALUE: According to Schedule B of the Debtors' Petition, see

attached Exhibit "B", market value of property is

\$13,380.00. (Debtor only possesses a shared ½ interest with

Betty Jane Miller, a non-debtor.)

BUYER: Jerry T. Sizemore, Jr., 240 Lamplighter Drive, Greer, SC

29651

PLACE AND TIME OF SALE:

Sale of property will be within ten (10) days of the date the

order is granted,

SALES AGENT:

Luv Homes of Greenville

2351 North Pleasantburg Drive

Greenville, SC 29609

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER/ETC.:

To be paid by the Buyer according to the Contract.

ESTIMATED TRUSTEE'S COMPENSATION:

N/A

LIENS/MORTGAGES/SECURITY INTERESTS ENCUMBERING PROPERTY:

From the proceeds of the sale will be paid the following:

Lien to Vanderbilt Mortgage 1.

Approximate Balance: \$10,012.02

COSTS OF CLOSING: Buyer shall be responsible for all closing costs

DEBTORS' EXEMPTION: \$0.00

PROCEEDS ESTIMATED TO BE PAID TO ESTATE:

½ of the balance of all proceeds after the costs, expenses, and deductions above shall be paid to the Chapter 13 Trustee toward the debtors' plan of reorganization.

Any party objecting to the sale must do so in writing and in accordance with SC LBR 9014-1; any such objections will be heard at the date, time, and place set forth in the Notice of Motion/Application and Opportunity for Hearing attached hereto. All objections should be filed with the Clerk of Court at 1100 Laurel Street, Post Office Box 1448, Columbia, SC 29202, with a copy served on the attorney of record, the trustee, or the debtor in possession, as applicable, at the address shown below. A copy of the objection should also be served on the United States Trustee of 1201 Main Street, Suite 2440, Columbia, SC 29201.

The court may consider additional offers at the scheduled hearing. The court may order at this hearing that the property be sold to another party on equivalent or more favorable terms.

The trustee or debtor in possession, as applicable, may seek sanctions or other similar relief against any party filing a spurious objection to this notice.

Randy A. Skinner Attorney at Law

P.O. Box 1843

Greenville, SC 29602-1843 (864) 232-2007 (Telephone)

(864) 232-8496 (Facsimile)

District Court I.D.#: 5412

Attorney for Debtors

9/18/, 200

Greenville, South Carolina

### Sales Agreement

CUSTOMER NO.				
Dam: 9-5-		0110 19 599	מ	 
Buyer(s): derry	T. Sizemore, Tr.	ssn: <u>248-19-599</u>		 
0.10	1 11-20		- 1	
	amply Hel Us	ve, Greer, SC 2963	D <i>I</i>	<u> </u>
Delivery Address:	SAME		111	<del> </del>
TELEPHONE: 864		SALES PERSON: Lamaren	LAIDVERK	
BASE PRICE:	s 10,012.02	Make: Clayton Model: N	export II-	
Dealer Prep	s <u>-o-</u>	Year <u>1992</u> Length <u>56</u> Width	Stock #	MAS153
SUB-TOTAL	s 10,012.02	Serial No	□ New	Used
Sales Tax	\$_500,60	TRADE: Make:	Model:	 
	\$	Year Length Widi	hTide	#
	\$	Serial No.		
	\$	Amount owed will be paid by: 🔲 Bu	yer 🔲 Seller	
1. Cash Price	\$ 10,512.62	Owed to:		
Trade Allowance	\$			<b>.</b>
Less Amount Owed	\$	Comos: Subject to the	approva 0	the
Trade Equity	\$	US Bankrupter Cont	this cent	met is
Cash Down Payment	5 1000.			
Other Payments	\$	47924	1	
2. LESS ALL CREDITS	\$ 1000.00	SELLER RESPONSIBILITIES: AS J	5, WHER	E IS
3. Remaining Balance	s 95/2.62			<u> </u>
ESTMATED MORTOAGE.	Buyer is voluntarily purchas-			:
are estimated.	ucts listed below. All numbers		0 0	<u> </u>
A. Other Charges		BUYER RESPONSIBILITIES: BUYER	Kylon der	9//
Property Insurance	\$	fees, tades, and	permits.	
Credit Life Insurance	\$			<del> </del>
НВРР	\$		<u> </u>	
Title Fees	\$	May not meet local codes and stand	ards. New homes m	tet Federal
License Fees	\$	Manufactured Home Standards.		<del> </del>
	\$	Buyer(s) agree: (1) that the terms and c this agreement; (2) to purchase the ab	onditions on page to ove home including	to are part of the ontions:
	\$	(3) they received and acknowledge re-	ceiving a completed	copy of this
	\$	agreement; (4) that all promises and re this agreement; and (5) there are no oth	presentations made ler agreements, writi	are listed on   en or verbal,
TOTAL	\$	unless evidenced in writing and signed		i i
B. Unpaid Bal./Amt. Fina	inced (3+A) \$	Seller:	Buyera 🛶	+1 1
C. Interest Rate	%	Betty Weller x	Just 1	- dupma 1
D. Finance Charge	\$	Betty of miller	(Allemane) J	my of . Sizende
E. Total of Payments (8	3+D) \$	Juanita R. Miller X	(signature)	
F. Total Sales Price (1+)		X X		·
G. Number of Payment	, , , , , , , , , , , , , , , , , , ,		(signuture)	.: =
H. Payment Amount	\$	×	(signuture)	
1 1 1	an commitment.			
	· · · · · · · · · · · · · · · · · · ·	Multi State Sales Agreement - Pad 100's	Page 1	CMH1179

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
Machinery, fixtures, equipment and supplies used in business.	x			
28. Inventory.	х			
29. Animals.	х			
30. Crops - growing or harvested. Give particulars.	х			
31. Farming equipment and implements.	х			
32. Farm supplies, chemicals, and feed.	х			
33. Other personal property of any kind not already listed. Itemize.		1992 Newport Model 60'x14' Clayton Mobile Home located at 240 Lamplighter Drive, Lot #74, Greer, SC 29651 COUNTY: Spartanburg SOURCE OF VALUATION: 1998 Tax Appraisal Vanderbilt Mortgage Mortgage: \$16,000.00		13,380.00
		RESIDENCE: 1991 Fleetwood 14'x80' Weston model Mobile Home located at 326 White Horse Road Ext., Travelers Rest, SC 29690 SOURCE OF VALUATION: 1998 Tax Appraisal Chase Manhattan Mortgage Corporation	•	13,690.00
	<u> </u>	Mortgage: \$11,896.14		**
			Total ≽	\$ 86,713.00

grm